



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 1080

PRINTER'S NO. 1940

PRIME SPONSOR: Culver

COST / (SAVINGS)

FUND	FY 2024/25	FY 2025/26
General Fund	\$0	\$0

SUMMARY:

Senate Bill 1080, Printer's Number 1396 amends the Vital Statistics Law to authorize a practical nurse to pronounce death of an individual in hospice care.

ANALYSIS:

This legislation amends Act 66 of 1953, known as the Vital Statistics Law of 1953, to add Section 508 Death and Fetal Death Registration: Pronouncement of Death by a Practical Nurse. It gives a practical nurse the authority to pronounce the death of an individual if all the following conditions are met:

- The individual is a patient in the care of a licensed hospice.
- The patient has a valid Do Not Resuscitate Order issued.
- The practical nurse conducts a focused assessment per the Uniform Determination of Death Act.
- The practical nurse has received the required training.

A practical nurse must follow any regulations promulgated by the State Board of Nursing. Further, a practical nurse can release the body of the deceased to a funeral director after notifying the attending physician or certified registered nurse practitioner, and the patient's family. If the death requires a coroner's investigation, the practical nurse must notify the county coroner, who then assumes the authority to release the body to the funeral director. The responsibility to determine the cause of the death remains with the physician, certified registered nurse practitioner, or the coroner.

The hospice must provide at least three hours of training to the practical nurse upon hire and annually and must assess the practical nurse's skills and competencies. The hospice must have written policies and procedures describing its method of assessment of competency and maintain a written description of the in-service training provided during the previous twelve months.

Additionally, this legislation expands the list of individuals in Section 807(c) of the Vital Statistics Act of 1953 who are eligible to receive free certified copies of vital statistics records or parts thereof. The eligibility for the fee waiver is independent of the death or survival of any other individual who qualifies for the fee waiver. The fee waiver shall apply to the first ten certified copies of the same record or parts thereof issued by or on behalf of the Department of Health during a calendar year.

This legislation shall take effect in 60 days upon enactment.

FISCAL IMPACT:

Practical nurse's ability to pronounce death

This legislation authorizes a practical nurse to pronounce death of an individual who is in hospice care and requires the hospice to provide training and assessment to the practical nurse. Any increase in administrative costs for the department resulting from the enactment of this legislation is expected to be nominal and can likely be covered by the department's current appropriation.

Fee waiver for certified copies of vital statistic records

The legislation expands the list of individuals in the Vital Statistics Act of 1953 who qualify for a fee waiver for a certified copy of the vital statistics records. These provisions match previous policy of the Department of Health prior to the issuance of a policy statement in 2023. Since this would be a return to prior practice, the department does not expect a fiscal impact to result.

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House Appropriations Committee (D)

DATE: October 8, 2024

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.